

March 29, 2022

Nathan Ochsner, Clerk of Court

UNITED STATES DISTRICT COURT  
for the

Southern District of Texas

United States of America )  
 v. )  
 Randy Long ) Case No.  
 )  
 )  
 )  
 )  
 )

**4:22-mj-738***Defendant(s)***CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 03/23/2022 in the county of Harris in the  
Southern District of Texas, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
USC 18 1951(a) and 2	Aiding and Abetting Interference with Interstate Commerce
USC 18 924(c) and 2	Aiding and Abetting Discharge of a Firearm During and in Relation to a Crime of Violence

This criminal complaint is based on these facts:

See attached affidavit.

Continued on the attached sheet.

  
*Complainant's signature*
*Ryan Hilz, TFO*
*Printed name and title*

Sworn to before me via telephone.

Date: 03/29/2022

  
*Judge's signature*

City and state: Houston, Texas

*Dena H. Palermo, United States Magistrate Judge*
*Printed name and title*

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT**

I, Ryan Hilz, being duly sworn, do hereby depose and state:

1. I am an Investigator with the Harris County Sheriff's Office [HCSO], duly appointed according to law and acting as such. I have been a Peace Officer with the HCSO for over eight [8] years and a certified Peace Officer for a total of twelve [12] years with the State of Texas. I am assigned to the Harris County Sheriff's Office Violent Crime Unit as a member of the FBI Houston Division Violent Crime Task Force [VCTF]. The VCTF is comprised of Task Force Officers [TFO's] from the Houston Police Department, the Harris County Sheriff's Office, and Special Agents of the FBI. The VCTF is responsible for the investigation of, among other violent crimes, bank robbery. The facts contained in this affidavit are based upon information provided to me by other law enforcement officers, other witnesses, and my own personal knowledge. Since this affidavit is made for the limited purpose of supporting a Criminal Complaint, I have not set forth each and every fact learned during the course of the investigation. Rather, I have set forth only those facts that I believe are necessary to establish probable cause for the crimes charged. Unless otherwise indicated, where actions, conversations, and statements of others are related herein, they are related in substance and in part only.

2. Affiant and other members of the FBI VCTF have investigated or responded to an armored car robbery, in which one suspect discharged a firearm, namely an AR Pistol, at the armored car courier, while the other suspect, later identified as Randy LONG, attempted to take multiple cash cassettes from the open ATM.

3. On Wednesday, March 23, 2022, units with the Harris County Sheriff's Office responded to the Comerica Bank, located at 855 FM 1960 Road West Houston, Harris County, Houston, Texas in reference to an aggravated robbery of a Brink's armored truck. The incident is documented under Harris County Sheriff's Office case number 2203-09243.

4. Special Agent Kenya Merritt and Task Force Officer Ryan Hilz (Affiant), along with other investigators with the FBI VCTF responded to the scene to conduct a follow up investigation. Upon arrival, a black Mercedes CLA250, VIN WDDSJ4GB5FN177827, was observed stopped at the front of the drive through lanes of the bank, and the Brink's armored truck parked in front of the Mercedes.

5. Affiant observed several bullet holes in the front of the Mercedes, including the hood, windshield and roof. Affiant also observed a semi-automatic pistol lying on the front passenger seat and an AR pistol lying on the ground outside on the passenger side of the Mercedes. Both front and rear license plates were removed.

6. Affiant met with the driver of the armored truck, later identified as David GONZALES, in reference to the robbery incident. According to GONZALES, he and his partner, later identified as James DONATH, were scheduled to service the drive-up ATM's at the Comerica Bank. GONZALES stated he parked his truck to block the lane where DONATH was servicing the ATM, and while DONATH was servicing it, GONZALES observed the above referenced Mercedes drive past his truck on the passenger side.

7. According to GONZALES, the vehicle stopped at the front of the drive through lanes, and two males exited the Mercedes. GONZALES stated he observed the male in the passenger seat fire at DONATH, at which time DONATH took cover behind the ATM and returned fire.

The suspects began to flee from the vehicle on foot, at which time the driver attempted to return to the Mercedes and to flee the scene with the car.

8. According to GONZALES, he pulled the armored truck in front of the Mercedes, preventing the unknown male from fleeing with the vehicle. DONATH moved to the driver's side of the armored truck for cover and the driver exited the vehicle and fled the scene on foot. Affiant also met with a female witness, identified as Maria TORRES, in reference to the incident.

9. According to TORRES, she was parking in the Starbuck parking lot, located on the east side of the Comerica Bank. TORRES stated she observed DONATH servicing the ATM when the black Mercedes pulled into the parking lot. According to TORRES, the Mercedes pulled up to the front of the drive through lanes, stopped and two black males exited the vehicle. TORRES stated the unknown male in the passenger seat was pointing a rifle and began exchanging gun fire with DONATH. According to TORRES, the driver of the Mercedes returned to the car and attempted to flee, and the Brink's truck pulled in front of it and the driver fled from the vehicle on foot.

10. Affiant reviewed surveillance video and observed at approximately 1:23pm, the Brink's truck was parked behind the drive-up lane of the ATM being serviced. At that time, the black Mercedes drove past the armored truck, to the front of the drive through lanes and stops. Both the driver and rear driver doors open, and a black male wearing dark colored clothing exited the rear driver door pointing the AR pistol at DONATH, and a shorter black male wearing a multi-color shirt exits the driver's seat.

11. DONATH moved toward the back of the ATM, while drawing his pistol. The

unknown subjects fired twice at DONATH, at which time he began to return fire. The unknown driver attempted to take the cash cassettes, which were already removed from the ATM and run. The unknown male passenger retreated into the rear driver seat and climbed through the back seat of the vehicle, exits the passenger side and fled the scene. The unknown driver began to run, stops and returns to the car and attempts to drive away. GONZALES drove the armored truck in front of the Mercedes preventing the unknown male from fleeing with the car.

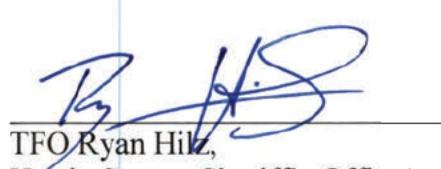
12. While processing the scene, an Apple iPhone was located on the front passenger seat of the vehicle, next to the Springfield XD pistol. In the phone case, a Texas ID card for LONG was located. A black color backpack was located lying on the ground outside of the passenger side of the Mercedes, next to the AR Pistol. Inside of the backpack, a birth certificate and a social security card, both belonging to LONG were located. Based on the Texas ID card photo it appeared that LONG matched the general suspect descriptions provided by the witnesses and victims.

13. A search of LONG's name and date of birth was conducted and it was learned LONG has an outstanding arrest warrant for Robbery out of Harris County. On Monday, March 28, 2022, LONG was taken into custody for his outstanding robbery warrant and transported to FBI Houston. Your Affiant and SA Merritt spoke with LONG in reference to the armored car robbery on Wednesday, March 23, 2022. During the interview, LONG was provided with his Miranda Warning, which he stated he understood. LONG confessed to being present during the robbery. LONG further identified himself in surveillance video as the male subject driving the Mercedes, and to grabbing the cash cassettes from the ATM, attempting to steal the cash.

14. Based on the foregoing, your Affiant believes there is probable cause to believe that

on March 23, 2022, Randy LONG committed the offense of aiding and abetting Interference with Commerce by Robbery when he and others used force, violence, and intimidation to take money belonging to Comerica Bank located at 855 FM 1960 Road West both located in the Southern District of Texas, the deposits of which are insured by the Federal Deposit Insurance Corporation, in violation of Title 18, United States Code, Section 1951(a) and 2.

15. Based on the foregoing, your Affiant believes there is probable cause to believe that on March 23, 2022, Randy LONG aiding and abetting others did knowingly discharge a firearm during and in relation to a crime of violence while taking money belonging to Comerica Bank located at 855 FM 1960 Road West both located in the Southern District of Texas, in violation of Title 18, United States Code, Section 924(c)(1)(A)(iii) and 2.

  
TFO Ryan Hill,  
Harris County Sheriff's Office/ FBI VCTF

Subscribed and Sworn to me by telephone on March 29, 2022, and I find probable cause.

  
DENA H. PALERMO  
UNITED STATES MAGISTRATE JUDGE